

ADAMS, J.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

KASSANDRA ROBINSON,)	CASE NO. 5:06CV1792
)	
Plaintiff,)	
)	JUDGE JOHN R. ADAMS
v.)	
)	<u>MEMORANDUM OF OPINION</u>
MARC GLASSMAN, INC., etc., et al.,)	<u>AND ORDER</u>
)	[RESOLVING DOC. 108, 109, and 134]
Defendants.)	

This action is before the Court upon the Report and Recommendation (Doc. 133) of a magistrate judge of this Court.

On January 16, 2008, the above-entitled action was referred to Magistrate Judge Patricia A. Hemann pursuant to 28 U.S.C. § 636 and Local Rules 72.1 and 72.2(a) for a report containing proposed findings and a recommendation for disposition of defendants Ashley Glor, Todd Gray, Carl Brezina, and Vickie Whanns's Motion for Attorney's Fees (Doc. 108) and Bill of Costs (Doc. 109).

The Court has reviewed *de novo* the Report and Recommendation, filed on February 25, 2008.¹ The Court has also considered the Objection for the Sake of Clarification (Doc. 134), wherein plaintiff's counsel requests that the Court specify who is to pay the costs.² The Court

¹In September 2008, the Sixth Circuit dismissed plaintiff's appeal from the grant of summary judgment. *Robinson v. Marc Glassman, Inc.*, No. 07-4517, slip op. (6th Cir. Sept. 3, 2008).

²Defendants Ashley Glor, Todd Gray, Carl Brezina, and Vickie Whanns did not file a Response to the Objection. Moreover, they did not file any objections to the Magistrate Judge's recommendation. Therefore, the Court must assume that these defendants are satisfied with the recommendation. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *Howard v. Secretary of Health and Human Services*, 932 F.2d 505 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

finds that the report and recommendation is well-supported and that the Objection of plaintiff's counsel has merit. The Court agrees with the conclusions of the magistrate judge that defendants Ashley Glor, Todd Gray, Carl Brezina, and Vickie Whanns's Motion for Attorney's Fees should be denied and that these defendants should be awarded \$1,773.65 in costs. The Court adopts the findings of fact and conclusions of law of the magistrate judge as its own. Therefore, the Report and Recommendation is hereby ADOPTED and the Objection for the Sake of Clarification is SUSTAINED. Accordingly,

Defendants Ashley Glor, Todd Gray, Carl Brezina, and Vickie Whanns's Motion for Attorney's Fees (Doc. 108) is DENIED.

Defendants Ashley Glor, Todd Gray, Carl Brezina, and Vickie Whanns shall recover of plaintiff Kassandra Robinson the sum of One Thousand Seven Hundred Seventy-three and 65/100 Dollars (\$1,773.65) as costs.

IT IS SO ORDERED.

January 7, 2010
Date

/s/ John R. Adams
John R. Adams
U.S. District Judge